



05-0203

THIS FORM IS BASED ON PTO/SB/30 (08-00)

RCE/2800

EX/CIA
16/RCE
5/7/3
Sunder

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Application Number	09/891,552
Filing Date	June 25, 2001
First Named Inventor	Gerald Lucovsky
Group Art Unit	2815
Examiner Name	Allan R. Wilson
Attorney Docket Number	5347.208

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.313(d) (PTO/SB/29) instead of an RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000); Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which was established RCE practice.

1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☒ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other _____

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2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0220
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)
- d. ☒ If necessary, the Director is hereby authorized to charge any deficiencies, or credit any overpayments, to Deposit Account No. 50-0220

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Shawna Cannon Lemon	Registration No. (Attorney/Agent)	53,888
Signature	<i>Shawna Cannon Lemon</i>	Date	May 1, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

Express Mail Label No. EV193585509US

Date of Deposit: May 1, 2003

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to: BOX RCE, Commissioner for Patents, Post Office Box 1450, Alexandria, Virginia 22313-1450.

Name (Print/Type)	Vickie Diane Prior	Date	May 1, 2003
Signature	<i>Vickie Diane Prior</i>		

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (i))	-20* =		x \$ ____ =	\$
	INDEPENDENT CLAIMS 37 CFR 1.16(b) or (i))	-3** =		x \$ ____ =	
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			x \$ ____ =	
				BASIC FEE (37 CFR 1.16)	
				Total of above Calculations =	
	Reduction by 50% for filing by small entity (Note 37 CFR 1.27).				
	* Reissue claims in excess of 20 and over original patent.				
	** Reissue independent claims over original patent.				
	TOTAL =				

6. ☐ Small entity status: Applicant claims small entity status. See 37 CFR 1.27.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 14 - 1270 :
- a. ☐ Fees required under 37 CFR 1.16.
- b. ☐ Fees required under 37 CFR 1.17.
- c. ☐ Fees required under 37 CFR 1.18.
8. ☐ A check in the amount of \$ ____ is enclosed.
9. ☐ Payment by credit card. Form PTO-2038 is attached.
10. ☐ Applicant requests suspension of action under 37 CFR 1.103(b) (fee under 37 CFR 1.17(l) enclosed).
11. ☐ New Attorney Docket Number, if desired
[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]
12. a. ☐ Receipt For Facsimile Transmitted CPA (PTO/SB/29A)
- b. ☒ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)
13. ☐ Other: ____

NOTE: The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

12. NEW CORRESPONDENCE ADDRESS☒ Customer Number or Bar Code Label***24737***

PATENT TRADEMARK OFFICE

or ☐ New correspondence address below

(Insert Customer No. or Attach bar code label here)

Name	PHILIPS ELECTRONICS NORTH AMERICA CORP.				
Address	580 WHITE PLAINS ROAD				
City	TARRYTOWN	State	NY	Zip Code	10591
Country	USA	Telephone	(914) 333-9624	Fax	(914) 332-0615

13. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print /Type)	DANIEL J. PIOTROWSKI
Signature	
Registration No. (Attorney/Agent)	42,079
Date	APRIL 30, 2003

Attorney Docket No. 5347-208



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Lucovsky et al.

Examiner: A. Wilson

Serial No.: 09/891,552

Group Art Unit: 2815

Filed: June 25, 2001

For: NOVEL NON-CRYSTALLINE OXIDES FOR USE IN MICROELECTRONIC,
OPTICAL, AND OTHER APPLICATIONS

May 1, 2003

Mail Stop RCE
Commissioner for Patents
Post Office Box 1450
Alexandria, Virginia 22313-1450

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AMENDMENT ACCOMPANYING
REQUEST FOR CONTINUED EXAMINATION

Sir:

This Amendment is responsive to the final Office Action dated January 7, 2003. A
"Version with Marking to Show Changes Made" is attached.

In the Claims

Please amend the claims as follows.

D1
600
2. (Amended) The oxide according to Claim 1, wherein A is aluminum (Al), B is tantalum (Ta), M is hafnium (Hf) or zirconium (Zr), n is 1, m is 2, and x is less than 0.25.

D2
14. (Amended) The field effect transistor according to Claim 11, wherein A is aluminum (Al), B is tantalum (Ta), M is hafnium (Hf) or zirconium (Zr), n is 1, m is 2, and x is less than 0.25.

D3
24. (Twice amended) A non-crystalline oxide represented by the formula (II):

